

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

YOUNG YIL JO, ) 8:13CV176  
 )  
Petitioner, )  
 )  
v. )  
 )  
SIX UNKNOWN NAMES AGENTS, )  
and MR. PRESIDENT OF THE )  
UNITED STATES BARACK )  
OBAMA, )  
 )  
Respondents.

**MEMORANDUM  
AND ORDER**

This matter is before the court on Petitioner Young Yil Jo's<sup>1</sup> ("Jo") Notice of Appeal, filed on June 10, 2013. (Filing No. [2](#).) Jo did not submit a Motion for Leave to Proceed in Forma Pauperis ("IFP") on Appeal, and did not pay the \$455.00 appellate filing fee. (*See* Docket Sheet.) The court has carefully reviewed the record and finds that the appeal cannot be processed.

Under the provisions of [28 U.S.C. § 1915\(g\)](#), a prisoner may not proceed IFP in a civil action, or appeal a judgment in a civil action, if the prisoner has, on three or more occasions, while incarcerated, brought an action or appeal in federal court that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted. [28 U.S.C. §1915\(g\)](#). An exception is made for prisoners who are under imminent danger of serious physical injury. *Id.*

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<sup>1</sup>The court notes that the name "Joshua Lopez" is included in the caption of Jo's complaint; however, the complaint is signed by Young Yil Jo, and there is no indication that Joshua Lopez agreed to participate in this lawsuit. Therefore, the court does not recognize Joshua Lopez as a Petitioner in this case.

The court has reviewed the United States Case/Party Index and finds that Jo is an experienced pro se litigant with an extensive history of abusive filings in federal district courts. To date, Jo has filed over 400 federal civil lawsuits in 34 federal district courts. He has been barred from proceeding IFP by 28 U.S.C. § 1915(g) because he has three or more strikes, a fact he has been informed of numerous times. *See, e.g., Joe v. Bush*, No. 1:2004-CV-3830 (N.D. Ill. June 14, 2004); *Joe v. Bush*, No. 1:2004-CV-8065 (N.D. Ill. Feb. 7, 2005); *Bustamante v. Six Unknown Names Agents*, 1:09-CV-7154 (N.D. Ill. Nov. 17, 2009); and *Gutierrez-Arias v. Six Unknown Agents, et al.*, 3:10-CV-105 (N.D. Ind. April 23, 2010).

Here, Jo has not shown that he faces any danger or physical injury. Thus, he is not permitted to proceed IFP in this court and he is not entitled to proceed IFP on appeal.

IT IS THEREFORE ORDERED that:

1. Petitioner is not entitled to proceed IFP on appeal and the appeal is dismissed.
2. The clerk's office is directed to change the caption of this case to reflect that Young Yil Jo is the proper Petitioner in this case.
3. The clerk's office is directed to forward a copy of this Memorandum and Order to the parties and to the Eighth Circuit Court of Appeals.

DATED this 24th day of July, 2013.

BY THE COURT:

*s/ John M. Gerrard*  
United States District Judge

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